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3 **UNITED STATES BANKRUPTCY COURT**  
4 **DISTRICT OF NEVADA**

5 In re:

6 WES CONSTRUCTION CO., INC.

BK 09-52177 gwz

Chapter 7

7 Debtor/s

8 \_\_\_\_\_ / ADV 09-5049 gwz

9 WES CONSTRUCTION CO., INC.

10  
11 **NOTICE AND CONDITIONAL ORDER  
12 Plaintiff**  
13 **vs.**  
14 **OF DISMISSAL OF ADVERSARY  
15 Defendant**  
16 **PROCEEDING**

17 MB FINANCIAL BANK, N.A.

18 \_\_\_\_\_ /

19 It appearing that the above-captioned adversary has had no activity from  
20 \_\_\_\_\_ to the present (more than one year), motion is hereby made that the  
21 above entitled adversary proceeding be dismissed pursuant to LR 7041.

22 NOTICE IS HEREBY GIVEN THAT, unless an objection to this motion and notice of  
23 hearing of the objection are filed and served within 20 days of the date of this motion by a party  
24 in interest, this adversary proceeding may be dismissed without prejudice. If no such objection  
is filed, noticed, and served, this notice shall be deemed to satisfy the requirements of LR 7041;  
no further notice of dismissal is required and none will be provided; and a final order of  
dismissal will be entered.

25 DATED: January 5, 2011

26 MARY A. SCHOTT, CLERK

27 /s/ Debra Marsh

28 \_\_\_\_\_  
Deputy Clerk

1 General/Forms/CaseAdministration/CAAdversary/NtcADV-no-activity.wpd  
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